



CITY OF HAVELOCK

Post Office Box 368
Havelock, N.C. 28532

R04-24-C-009

November 1, 2023

Mrs. Sara Janovitz
Atlanta Federal Center
61 Forsyth Street, S.W. 10th Floor
Atlanta, GA 30303-8960

Dear Mrs. Janovitz:

The City of Havelock is pleased to submit this application for a United States Environmental Protection Agency (EPA) Brownfields Cleanup Grant. This grant application is for cleanup of the former Phoenix site located on the west side of Havelock, North Carolina. One of the main needs identified during preparation of Havelock's *Comprehensive Parks and Recreation Master Plan* was to acquire land to develop a recreation complex on the west side of the City. The City plans to cleanup Phoenix to provide a park/greenspace for these residents. We have leveraged over \$20M in funding to make this project happen and the \$1,000,000 requested herein will make our project complete.

We look forward to hearing from you on this request. If you have any questions about the proposal, please contact me at (252) 444-6400.

Sincerely,

Mr. Christopher W. McGee, MPA, PE
City of Havelock City Manager

IV.D. Narrative Information Sheet

1. Applicant Information

City of Havelock
Post Office Box 368
Havelock, NC 28532

2. Funding Requested

- a) Grant Type - Single Site Cleanup
- b) Federal Funds Requested - \$1,000,000

3. Location – Havelock, Craven County, North Carolina

4. Property Information – Former Phoenix Landfill, Sermons Boulevard, Havelock, NC 28532. The Phoenix site consists of approximately 34.5 acres and is made up of two parcels. Parcel 1 consists of 20.55 acres with a PIN of 6-031-005 while parcel 2 consists of 13.92 acres with a PIN of 6-031-003.

5. Contacts:

Project Director (primary)
Name: Katrina Marshall
Title: Planning Director
PO Drawer 368
Havelock, NC 28532
Phone: 252-444-6411
Fax: 252-447-0126
E-Mail: kmarshall@havelocknc.us

Top Elected Official
Name: Will Lewis
Title: Mayor
PO Drawer 368
Havelock, NC 28532
Phone: 252-444-6400
Fax: 252-447-0126
E-Mail: wlewis@havelocknc.us

6. Population: 17,560 (2021 ACS 5-Year Estimate)

7. Other Factors:

Other Factors	Page #
Secured firm leveraging commitments tie directly to the project	4, 5
The site is adjacent to a body of water	1, 2
The site is in a federally designated flood plain	1, 2, 3,
The reuse of the site will facilitate renewable energy from wind, solar, or geothermal energy	4
The reuse of the site will incorporate energy efficient measures	4
The project will improve local climate adaptation/mitigation capacity and resilience to protect residents and community investments	4

8. Releasing Copies of Applications

Not Applicable

NARRATIVE/RANKING CRITERIA

1. Project Area Description and Plans for Revitalization

1.a. Target Area and Brownfields

1.a.i. Overview of Brownfields Challenges and Description of Target Area

Havelock (population 17,560 from 2021 ACS 5-Year Estimate) is located on U.S. Highway 70 midway between historic New Bern and NC's Crystal Coast beaches. U.S. Highway 70 is sometimes referred to as the "Gateway to the Crystal Coast" and each year it carries thousands of travelers through Havelock on their way to the coast. The triangular shaped Phoenix site is a 35-acre abandoned landfill/recycling center located at the intersection of Sermons Boulevard and Marsha's Way Extension, just off of Highway 70 as you enter the City from the west. The site, abandoned in 2000, contains thousands of cubic yards of stockpiled debris, including scrap metal, plastic building debris, unprocessed building materials, concrete, asphalt, and arsenic containing wood chips. Tucker Creek, which runs beneath Highway 70 as you enter Havelock, is located within 500-feet of the northern portion of the Phoenix site. Sandy Run, a direct tributary to Tucker Creek, makes up the southern and western boundaries of the Phoenix site.

Although portions of the site are fenced, access to other portions of the Phoenix site is essentially unrestricted with only a small berm separating the adjacent middle school from the site and thin, wooded areas separating the Phoenix site from two residential subdivisions. Teens have been observed running through the woods onto the site and evidence of ATV traffic at the site is visible. Some of the debris piles are over 25-feet high, with decay and settling resulting in sink holes and other safety hazards. The debris has been characterized with much of it shown to contain arsenic at unsafe levels. Phoenix has long been (and continues to be) a source of discontent for residents. Our brownfield challenges include exposure to contamination at and emanating from the site, safety hazards on the site itself, and its negative impact on property values and home resales. Over the last 23 years, the condition of this abandoned site has been written about in numerous newspaper articles, featured in local and State television news stories, and is a constant topic at public meetings. It has also become an impediment to additional development in the area, including scenic areas along nearby Tucker Creek.

How will this grant help? This site is a perfect candidate for redevelopment with the park that is lacking in this part of the City. The City acquired the site in November 2015 after assessing the property during their 2012 – 2015 EPA Brownfields Assessment Grant activities and entering the site into the NC Brownfields Redevelopment Section (NCBRS). In 2019 the City used \$1M provided by the NC Legislature to remove some debris and clean up approximately 10-acres of the site. This requested \$1,000,000 cleanup grant, coupled with the \$3.5M HUD grant awarded to the City in 2023, will provide the funding necessary to clean up the site **AND** build a park, which is proposed to include restroom facilities, kids play area, a dog park, a walking trail (including elevated boardwalks for areas in the flood plain), and improvements around a pond (dock, piers, etc.) to facilitate boating and fishing activities. Our cleanup project will not only remove contaminated debris but remove sources which may be contributing to runoff from the site detrimental to the adjacent/nearby water bodies. This project will address our challenges by removing an eyesore and replacing it with a community asset, abating the safety and exposure hazards associated with the site, and providing a recreation area for the City's residents. As a result, property values and home sales should improve along with the attractiveness of the area for additional development.

The target area for this cleanup grant includes the residents and community assets of the west end of Havelock in the immediate vicinity of the Phoenix site. The Phoenix site is surrounded by the Tucker Creek Middle School and Tucker Creek residential subdivision to the north; the West End Fire Station to

the west and just beyond that the Hickman Hill neighborhood; the MacDonald Downs residential subdivision (across Sandy Run) to the south; and Marine Corps Air Station (MCAS) Cherry Point to the west (across Sandy Run). According to the 2020 US Census Demographic and Housing Characteristics file, the Hickman Hill neighborhood consists of over 83% African Americans, approximately 50% of which are considered low income. The Tucker Creek and MacDonald Downs subdivisions fare only slightly better, with as high as 54% non-white populations and as high as 30% considered low income. Portions of the site are located in a federally designated flood plain and Sandy Run discharges into Tucker Creek, a recreational water body located just west of the Phoenix site.

1.a.ii. Description of the Proposed Brownfields Site

The Phoenix site was originally a sand mine that was later used as a demolition waste dump site. In 1993, the site began recycling portions of construction and debris waste and in 1997 received approximately 24,000-tons of hurricane debris from nearby Pender County. The owners of the site declared bankruptcy and the facility was closed in 2000. It is currently vacant and void of any structures; however, the thousands of cubic yards of unprocessed material stockpiled at the site include scrap metal, plastic building debris, unprocessed building materials and arsenic-containing wood chips and a wood chips/sand mixture.

Limited assessments conducted at the site in the 2000's by the DEQ detected elevated levels of arsenic, chromium and lead in the groundwater, along with several semi-volatile compounds. Follow up investigations, including those conducted during Havelock's 2012 – 2015 EPA Brownfield Assessment Grant project, noted the following: 1) soil contamination beneath the debris piles was minimal, with four small areas containing VOC and SVOC impacted soil; 2) six debris piles contained arsenic in levels unsuitable for a recreational exposure scenario; and 3) the height (some as high as 25-feet) and condition (decaying debris and sinkholes) of the piles were a safety hazard to anyone traversing the site. In 2015, the City entered the site into the NCBRS, who regulates the cleanup and redevelop of brownfields sites in their program. The NCBRS has already approved the proposed cleanup plan and proposed use of Phoenix!

1.b. Revitalization of the Target Area

1.b.i. Reuse Strategy and Alignment with Revitalization Plans

One of the main needs identified during preparation of Havelock's *Comprehensive Parks and Recreation Master Plan* was to acquire land to develop a recreation complex on the west side of the City. The City also identified the need to provide a pedestrian/bike path to connect the MacDonald Downs and Tucker Creek subdivisions and the Tucker Creek Middle School. Despite the increase in servicemen at MCAS Cherry Point, the population of Havelock has decreased by approximately 2% since 2010.¹ Many of the military families brought to MCAS Cherry Point choose to reside in other areas of Craven County and other contiguous counties due to the lack of housing, commercial businesses and recreational options in Havelock.

The ideal location to meet the need outlined in our *Comprehensive Parks and Recreation Master Plan* was identified as the Phoenix site! The first step toward the transformation of Phoenix was determining the environmental conditions and obtaining ownership of the site. In 2011, Havelock charted a course to partner with EPA, North Carolina Department of Transportation (NCDOT) and others to assess, cleanup and redevelop Phoenix and the surrounding area into a community asset. In 2012 the City was awarded two \$200,000 brownfields assessment grants with the focal property being Phoenix. In addition to the

¹ US Census Bureau

assessment results noted above, some of the accomplishments associated with this grant project included:

- A planning effort in conjunction with local residents (including those adjacent to the Phoenix site) that formalized a vision of Phoenix as a park/greenspace;
- Acceptance of the site into the NCBRS and filing of a Brownfields Agreement between the DEQ and the City of Havelock, providing the City with the liability protection it needed to take title to the site;
- Engaging residents of the subdivisions around the Phoenix site through our Steering Committee meetings to gather input and support for the proposed reuse plan for the site;
- Successful outreach to residents and the Board of Commissioners, receiving support for the long-range plan to acquire and redevelop Phoenix; and
- Successful outreach to the heirs of the Phoenix site owner, which resulted in the property being transferred to the City.

Out of these efforts came park plans which include restroom facilities, kids play area, a dog park, a walking trail with educational opportunities (elevated boardwalks for areas in the flood plain), and improvements around a pond (dock, piers, etc.) to facilitate boating and fishing activities.

Subsequent to our grant project, our dogged pursuit of our reuse strategy continued. The City worked with NCDOT to make the Slocum Road project a reality. This \$20,000,000 project, completed in 2020, not only provides a main entrance into MCAS Cherry Point, but brings a safer connector road adjacent to the eastern edge of the Phoenix site, provides safer ingress/egress to existing subdivisions and Tucker Creek Middle School, and access to undeveloped parcels that will become attractive development assets after park development. This also provides greater visibility to the Phoenix redevelopment and includes the much-needed pedestrian/bike path. It included upgrades to Sermons Boulevard, which provides a safer access to the Phoenix site and Tucker Creek Middle School for the residents of Hickman Hill. As part of these efforts, in 2018 the City invested approximately \$76,000 to further assess the stockpiles to fulfill requirements agreed upon with NCDOT to keep the Slocum Road project on course and NCDOT invested approximately \$80,000 assessing stockpiles so that it could be relocated to the Phoenix site for future use. Also in 2018, City leaders petitioned the NC Legislature for funds to help with the cleanup of the site. In 2019, the City used \$1M in funds provided by the NC Legislature to cleanup a portion of the Phoenix site, primarily to gain safe access to the site and the central area of the site. In 2023, the City applied for and received a \$3.5M HUD Community Project Funding grant, which included \$1M to cleanup and secure areas slated for walkways circling the site and \$2.5M for park development (including costs to address potential project impacts in the floodplain). And finally, the City prepared an Analysis of Brownfields Cleanup Alternatives (ABCA) for the cleanup of Pile 7, the arsenic laden pile that blocks access to our on-site pond. The estimated cost of the chosen cleanup alternative was approximately \$1,000,000 and would result in an additional 9 acres of greenspace and another access to our pond. **This cleanup grant will allow us to fully implement our cleanup AND redevelopment strategy.** The cleanup and redevelopment of Phoenix coupled with the Slocum Road project would also unlock an estimated 105 acres of additional land for residential and commercial development, which directly aligns with this area's projected use contained in our *CAMA Future Land Use Plan*.

1.b.ii. Outcomes and Benefits of Redevelopment Strategy

The City estimates that there is approximately 105-acres of land in the immediate vicinity of Phoenix that will be ripe for residential and/or commercial development once our project is complete. The Slocum Road project provides safer ingress/egress to existing subdivisions, new access to undeveloped

parcels, and easy/safe access to the Phoenix site. The addition of over 25+ acres of greenspace on this side of town will also increase property values in the area. It is anticipated that these developments along with the increased property value of existing properties will add approximately \$560,000 to our annual property tax revenue. We also estimate approximately 25-40 new jobs associated with park maintenance/upkeep and the new commercial/retail establishments expected to come to this area. Our outcomes (park development, job creation, increased tax revenue, economic stimulation, and additional housing options) correlate 100% with our reuse strategy.

Our project will improve local climate adaptation/mitigation capacity by reducing the greenhouse gases being generated at and around the park. The greenway connector between the MacDonald Downs and Tucker Creek subdivisions will reduce vehicle traffic in the area while the removal of piles of decaying wood products will reduce/eliminate the generation/release of methane from the site. We also intend to generate renewable energy by the strategic use of solar panels on top of structures and in open areas. We also plan to incorporate water-efficient toilets and energy efficient windows and lighting systems.

1.c. Strategy for Leveraging Resources

For the past 12 years, starting with the 2011 application for EPA Brownfields Assessment funds, the City has pursued funding and successfully leveraged resources for the redevelopment of this site.

1.c.i. Resources Needed for Site Characterization

The site was fully characterized to the satisfaction of the NCBRS using assessment funds from Havelock's 2012-2015 EPA Assessment Grant. As such, we don't need additional funds for site characterization. If for some reason additional assessment funds are needed during cleanup, the City will pursue additional funding from HUD, the NC Legislature, DEQ's MARC grant, the DEQ Inactive Hazardous Site Branch fund, and/or from the Havelock general budget.

1.c.ii. Resources Needed for Site Remediation

It is estimated that \$2M is needed to cleanup the Phoenix site to where it can effectively be redeveloped as the planned park/greenspace. In March 2023, Havelock was awarded a \$3.5M HUD Community Project Funding grant for the Phoenix site. Under this award, \$1M is earmarked for cleanup activities at Phoenix. With the additional \$1M requested for this cleanup grant, Havelock has the resources necessary to complete the cleanup of the Phoenix site to allow its redevelopment as a park. Through smart planning and collaboration with the NCBRS and NCDOT, 22,000 cubic yards of clean fill material has been stockpiled on site. At approximately \$12.50 per cubic yard, this is approximately \$275,000 worth of fill/cover ready for use.

1.c.iii. Resources Needed for Site Reuse

Havelock has successfully leveraged millions in pursuit of this important community project. Our project will leverage the over \$24,000,000 invested by NCDOT to improve transportation and connectivity at and in the vicinity of the Phoenix site (Slocum Road Project). During the design phases of this project, it was determined that routing this connector through a small portion of the Phoenix site (approximately 1.2 acres) would improve the safety and flow of the road. By donating this portion of the site to NCDOT and investing approximately \$71,300 for additional testing and engineering services, we were able to leverage over \$323,000 in NCDOT funds to place and contour clean spoils from the nearby Slocum Road construction at the northeast corner Phoenix site, essentially giving one of the most visible portions of the Phoenix site a "facelift". The City also invested over \$30,000 and leveraged an additional \$76,000+ by partnering with NCDOT to build the pedestrian and bike path outlined in our *Comprehensive Parks and Recreation Master Plan* connecting the MacDonald Downs subdivision, Tucker Creek subdivision, and Tucker Creek Middle School. And most importantly, Havelock applied

for and received a \$3.5M HUD Community Project Funding grant in March 2023, which includes \$200,000 for pre-project design, planning, engineering, bidding and permitting, \$1.0M for cleanup activities, and \$2.5M for park construction.

Although we have the resources necessary for site reuse, we don't plan on stopping there. If a stormwater project is identified in our park design, we will apply to DEQ's Stormwater Funding Program. As this project progresses, if additional funds are necessary for amenities or upkeep, we plan to apply for NC Recreational Trail Program grants and NC Parks and Recreation Trust Fund grants. We will continue to be smart in the design, planning and implementation of our vision for this site and smartly invest our limited resources to leverage additional investments.

1.c.iv. Use of Existing Infrastructure

The new Slocum Road connector and bike/pedestrian path that runs adjacent to Phoenix will be used by all residents wishing to access the new Phoenix site, Tucker Creek Middle School, the adjacent subdivisions, and the future land that will be opened with this project. The Slocum Road connector will also provide access to the new residential and commercial/retail developments we anticipate in the area and the water and sewer infrastructure for these new developments will already be in place. With these complete, the only road infrastructure necessary to access the Phoenix site will be for the ingress/egress into the park, which is in the budget and will be built during use of the \$2.5M of the HUD grant.

2. Community Need and Community Engagement

2.a. Community Need

2.a.i. The Community's Need For Funding

Craven County is designated as a Tier II county by the North Carolina Department of Commerce (NCDOC), which rank only behind Tier I counties as the states most economically distressed. According to the 2021 ACS, Havelock's median household income (\$53,344) lags behind that of Craven County (\$56,325), NC (\$60,516) and the US (\$69,021). These low MHI numbers are reflected in the fact that our tax base has not grown appreciably in the last 5 years. The low-income status of our residents, decreasing population and expenditures that outpace our revenue inhibits our ability to carry out the needed remediation at Phoenix. Despite the presence of MCAS Cherry Point, consisting of an active population with disproportionately low average age and high number of children in the household, the City's small population (17,560 by 2021 ACS 5-year estimate) has decreased by approximately 17% since 2010. This grant/project will directly address a need of Havelock and our target area as a common reason for the low number of military families residing in (and leaving) Havelock is the lack of family recreation options on the west end of the city. The City currently has over \$18,500,000 in debt. During September 2018, Hurricane Florence (DR-4393-NC) caused mass destruction in the City and the surrounding areas (including Havelock) were declared a disaster area by the President. Multiple City assets including buildings, roads, water and sewer lines, parks, equipment, signs, etc. were damaged. The City incurred over \$4.8M in expenses from these damages. The City of Havelock has invested continually, wisely, and sacrificially to leverage this project. However, we cannot fund the costs needed to complete the cleanup of Phoenix and reach our goal.

2.a.ii. Threats to Sensitive Populations

2.a.i.(1) **Health or Welfare of Sensitive Populations-** Completion of the Phoenix cleanup will address the most glaring health and welfare concerns in our target area, the exposure of our children to the physical hazards at Phoenix and the primary environmental contaminant, arsenic. Arsenic, most likely introduced by the stockpiling and processing of treated lumber, has been detected in the debris piles in unsafe levels. Children virtually surround the Phoenix site, at home and at school. Children that access the Phoenix site are exposed to arsenic through inhalation, ingestion and dermally. Childhood exposure

is linked to increased risk of infection, bronchiectasis, altered hepatic function, neurodevelopment and cognitive issues, skin changes and the increased risk of skin cancer. The stockpiles at Phoenix also contain concrete, metal, and other sharp debris in various forms along with decaying debris, which leaves unsafe sinkholes and uneven terrain throughout. The cleanup of Phoenix will address these exposures to the youth that live in the adjacent subdivisions and attend the adjacent middle school by removing the contaminated material and eliminating the risk for exposure.

2.a.1.(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions – Arsenic is a carcinogen that can be ingested, absorbed and/or inhaled – all current and historic exposure routes at and around Phoenix. Exposure increases the risk of lung, prostate, breast, bladder, liver, and skin cancers. Exposure increases the disease burden on the body which in turn increases the risk of other forms of cancer. Cancer is the leading cause of death in Craven County (2021 Craven County Community Health Needs Assessment) with lung cancer the most prevalent cause of cancer deaths and prostate cancer fourth. Through an informal and limited inquiry by City staff, we documented one case of breast cancer and one case of prostate cancer in the MacDonald Downs subdivision and one case of breast cancer and one case of pancreatic cancer in the Tucker Creek subdivision. Prenatal exposure to arsenic can lead to preterm birth, one of the leading causes of infant mortality in Craven County. Finally, EJScreen ranks our target area in the 58th percentile for asthma. These specific health data for residents in the target area point to Phoenix as one of, if not the primary, exposure source in the area. It is reasonable to assume that the removal of such a large and easily accessible source of arsenic will help reduce the greater than normal incidences of disease for the target area in the future.

2.a.1.(3)(a) Identification of Environmental Justice Issues – Residents of our target area have long suffered from the presence of the Phoenix site in their midst. Decisions made long ago by the County allowed sand mining and the Phoenix operations to take place in this area. Once Phoenix was closed, the County refused to secure the site and prevent further dumping for liability reasons. In addition, based on data from EPA’s EJScreen, the Hickman Hill and Tucker Creek/MacDonald Downs census blocks rank in the 85th and 75th percentiles for proximity to Superfund sites, 69th and 55th percentiles for traffic proximity, and 67th and 52nd percentiles for proximity to hazardous waste sites. Although the site is not in a disadvantaged census tract according to CEJST, one such census tract directly abuts the site to the east and southeast.

2.a.1.(3)(b) Advancing Environmental Justice - The City has consistently taken steps since 2012 to address the environmental justice issues associated with Phoenix. By using EPA assessment grant funds we were able to assess the site and ultimately bring it under City ownership. By aggressively pursuing funds and leveraging others, the City has been able to do limited cleanup at the site and provide certain security measures. Completion of this project will effectively eliminate the threats caused by the physical and environmental hazards at the Phoenix site and provide a true community asset. It will also eliminate an environmental justice issue that has lingered for many years. Finally, our park development project will not displace residents or businesses. In fact, the development of our park will facilitate additional housing options in the area, provide opportunities for commercial/retail development around the park, and provide quality of life improvements (new exercise and recreation options) to the existing, neighboring residents.

2.b. Community Engagement

2.b.i. & 2.b.ii. Project Involvement and Project Roles

Phoenix has been on the radar of Havelock citizens for over 20 years. Its cleanup and redevelopment as a park has been discussed since 2012 at Board of Commissioner (BOC) meetings, Steering Committee meetings, community meetings and listening sessions. The reuse of Phoenix as a park already has the

full support of our community and the residents of the target area. These key community members will continue to be key stakeholders for this project (cleanup, park design and park development).

Name	Point of Contact	Specific Role in Project
MacDonald Downs	Jim Anderson (252-646-5726) Texastriot1@ec.rr.com	Neighborhood liaison – disseminate information and lead targeted meetings
Tucker Creek	Jeff Fedyna [REDACTED]	Neighborhood liaison – disseminate information and lead targeted meetings
Tucker Creek Middle School	Stephen Currie (252-444-7200) Stephen.currie@cravenk12.org	Hold public meetings and disseminate information to parents
Hickman Hill Resident	Joyce Morgan [REDACTED]	Neighborhood liaison – disseminate information and lead targeted meetings
Craven County Health Dept.	Scott Harrelson (252-636-4920) health@cravencountync.gov	Review and respond to health issues, questions, etc.
Sun Journal	Caramia Valentin (910-459-0423) cvalentin@newbernsj.com	Disseminate Project Updates

2.b.iii. Incorporating Community Input

Havelock will prepare a Community Relations Plan (CRP), which will describe how we plan to satisfy our public involvement requirements (including public comment on our finalized ABCA). We will hold a public meeting prior to the startup of cleanup activities to cover the history of the site, the planned cleanup activities, and to allow further comments on the finalized ABCA. We will post our responses to these comments on our website and include them in our Administrative Record for the project, which will also be made available to the public. We will also hold a public meeting at the completion of the project. Meetings will be held at Tucker Creek Middle School. Our second will provide a wrap-up of the project. Notice of meetings will be delivered directly to the residents of the Tucker Creek, Hickman Hill and MacDonald Downs subdivisions, posted at the Tucker Creek Middle School, posted on our website, and posted in the New Bern Sun Journal (print and on-line version). Meetings will be in person with an option to participate virtually. We will solicit input from the attendees and post responses to any questions or comments on our website. A translator will also be available for attendees that speak Spanish. After cleanup and as park plans are being developed, we will continue to hold stakeholder/public meetings as needed and will rely heavily on our neighborhood liaisons to solicit input, comments and/or concerns on the project so that they can be responded to. The Phoenix project will also be a standing item at twice monthly BOC meetings, which are open to the public.

3. Task Descriptions, Cost Estimates and Measuring Progress

3.a. Proposed Cleanup Plan

Our cleanup plan for Phoenix entails using HUD funds to remove debris which cuts off visibility of the proposed park from the connector road and Sermons Boulevard and areas slated for walkways around the perimeter. Trash and unprocessed building materials along with inert debris (concrete, asphalt, etc.) will be disposed of at a local landfill. The EPA grant will be used to remove approximately 9,000 cubic yards of soil/wood chips contained in Pile 7 at the site. These materials, which contain elevated levels of arsenic, will be removed and disposed of at a lined, Subtitle D landfill. Not only does this material contain some of the highest levels of arsenic, but this pile essentially cuts off access to the majority of the northern and western side of the on-site pond (a valuable site asset!). By removing Pile 7, we not only eliminate exposure to some of the higher levels of arsenic, we provide complete access to the on-site pond and another access route to the southern portion of our greenway/park. This access is critical to the planned flow of the greenspace and needed to fully take advantage of the on-site pond.

There are several sections of the site where piles of inert debris are already heavily vegetated with mature trees and brush. In conjunction with the NCBRS, we've determined that some of these could be safely incorporated into the greenspace portions of the park. We will work with the NCBRS to determine which of these areas are safe for use and which may need to be covered (using soil already stockpiled on site). When complete, the City will have at least 25 acres (and possibly more) of space for use as our park. Our schedule is aggressive. We'd like to start the engineering and permitting portions of this project as soon as we are notified of award with completion within 24 months.

3.b. Description of Tasks/Activities and Outputs

<u>Task/Activity: Task 1 – Project Management</u>
<i>i. <u>Project Implementation</u></i> As with our previous grant, we will hire an experienced environmental consultant in accordance with the procurement standards contained in 2 CFR 200 and 2 CFR Part 1500. The City's Project Director along with our consultant will oversee the cleanup portion of the project funded by the grant and ensure compliance with the Cooperative Agreement. They will also complete ACRES reporting, financial reporting, quarterly reporting, MBE/WBE forms, and all programmatic support for the term of the grant. <i><u>Non-EPA Grant Resources:</u></i> Havelock will donate their resources to carry out programmatic and grant administration activities.
<i>ii. <u>Anticipated Project Schedule:</u></i> Project Management activities will be performed throughout the grant.
<i>iii. <u>Task/Activity Lead:</u></i> Katrina Marshall – Havelock Project Director and our consultant.
<i>iv. <u>Outputs:</u></i> ACRES reporting, 3 Annual Financial Reports, 9 Quarterly Reports, 3 MBE/WBE Forms, Programmatic Support.

<u>Task/Activity: Task 2 – Community Outreach</u>
<i>i. <u>Project Implementation</u></i> Prepare CRP. We plan to conduct two public meetings to be held at the Tucker Creek Middle School, one at the start of the grant activities and one at the end of the cleanup. Notice of meetings will be delivered directly to the residents of the Tucker Creek, Hickman Hill and MacDonald Downs subdivisions, posted at the Tucker Creek Middle School, posted on our website, and in the New Bern Sun Journal. We will also do social media posts during project activities. The City's selected consultant will take the lead on these activities with help from the City. <i><u>Non-EPA Grant Resources:</u></i> None.
<i>ii. <u>Anticipated Project Schedule:</u></i> One meeting prior to cleanup activities and one following.
<i>iii. <u>Task/Activity Lead:</u></i> Katrina Marshall – Havelock Project Director and our consultant.
<i>iv. <u>Outputs:</u></i> Website updates, 2 public meetings, brochures/handouts, social media posts, summary of meetings to EPA and in Quarterly Reports.

<u>Task/Activity: Task 3 – Site Cleanup</u>
<i>i. <u>Project Implementation</u></i> Since HUD funds will be used to provide much of the project management, pre-project engineering, permitting and contractor bidding (including our cleanup contractor in accordance with 2 CFR 200 and 2 CFR Part 1500) necessary, <u>the majority of the EPA grant funds will be used for actual cleanup!</u> The grant cleanup activities will primarily consist of loading and hauling debris from Pile 7 to a Subtitle D landfill. This task also includes oversight of the contractor's activities. Since the site has been adequately assessed and the cleanup plan approved by the NCBRS, we do not need any additional assessment or testing during or after cleanup. <i><u>Non-EPA Grant Resources:</u></i> Project management, pre-project engineering, permitting and contractor bidding activities paid for through the HUD funds.
<i>ii. <u>Anticipated Project Schedule:</u></i> Approximately 90-days to complete the cleanup.
<i>iii. <u>Task/Activity Lead:</u></i> Katrina Marshall – Havelock Project Director and our consultant.
<i>iv. <u>Outputs:</u></i> Cubic yards/tons of waste and debris removed; acres cleaned up; exposure and safety hazards mitigated.

3.c. Cost Estimates

Budget Categories	Project Tasks			
	Task 1 Project Management	Task 2 Outreach	Task 3 Site Cleanup	Total
Personnel				
Fringe Benefits				
Travel				
Equipment				
Supplies		\$700		\$700
Contractual	\$11,100	\$3,000	\$112,200	\$126,300
Construction			\$873,000	\$873,000
Other (specify)				
Total Direct Costs	\$11,100	\$3,700	\$985,200	\$1,000,000
Total Indirect Costs				
Total Budget	\$11,100	\$3,700	\$985,200	\$1,000,000

Task 1 - Project Management

- Contractual: 60 hours of project management @ \$185/hour = \$11,100

Task 2 – Community Outreach:

- Prepare CRP – to be completed by the City (in-kind)
- Contractual: facilitate 2 public meetings at \$1,500 per meeting (\$3,000)
- Preparation, Printing, and Distribution of Meeting Notices (\$700)

Task 3 – Site Cleanup:

- **Construction - Debris Excavation, Transportation and Disposal: \$747,750:** Estimated 6,300 tons (9,000 CY) of debris. Load 9,000 CY @ \$23.50/CY; Transport 690 loads @ \$275/Load; Dispose of 6,300 Tons @ \$55/ton.
- **Construction - Seed & Straw: \$76,500:** Estimated 9 acres at \$8,500 per acre
- **Construction - Contingency: \$48,750:** Approximately 5% of project costs (\$936,450)
- **Contractual - Field Oversight: \$90,000:** Estimated 90 days of labor and expenses at \$1,000 per day.
- **Contractual - Field Project Management, NCBRS Documentation: \$22,200:** 120 hours @ \$185/hour - Management, final report, and compliance with NCBRS requirements (meetings, preparation of Environmental Management Plan, interim status reports to Program, etc.).

3.d. Plan to Measure and Evaluate Environmental Progress and Results

The City and our consultant will be tracking progress daily during site visits and oversight activities. Our remediation contractor will be providing daily progress (tons/CY removed) and cost updates to the City and our consultant to make sure we are on schedule and budget and to address any unforeseen circumstances in a timely manner. All such information will be tracked in daily field notes/reports and summarized in monthly reports to the City and quarterly reports to EPA. The progress of the park project as a whole will continue to be tracked in our stakeholders meeting and at our BOC meetings.

4. Programmatic Capability and Past Performance

4.a. Programmatic Capability

4.a.i.-ii Organizational Structure and Description of Key Staff

Havelock, with the assistance of our chosen environmental consultant, will manage this grant and has the ability and staff in place to manage and implement all phases of work. Our project team consists of Katrina Marshall, Planning Director, Kimberly Walters, Interim Deputy Finance Officer and Christopher McGee, City Manager. Mrs. Marshall has 32 years of local government experience and has served as the City's Planning and Code Enforcement Director for 10 years. She has a BA degree in Geography and a MA degree in Geography from East Carolina University and holds the AICP (American Institute of Certified Planners) professional certification. In addition to managing Havelock's previous assessment grant, Mrs. Marshall has grant administration experience with the following: Federal grants of the Office of Economic Adjustment for Joint Land Use Studies (associated with communities located in the vicinity of a military base), EPA Brownfields Assessment Grants, FEMA Flood and Hazard Mitigation Grants and State grants including Community Development Block Grants for housing, and CAMA grants for public water access. Ms. Walters currently has the lead role in finance for the City, has been with the City for 5 years, and has experience in managing and reporting Federal Grants including grants from FEMA, EPA, and OEA as well as State Grants including CDBG, CAMA, PARTF, and Powell Bill. Ms. Walters is pursuing a BA in Finance from UNC-Pembroke. Mr. McGee is a Licensed Professional Engineer with a BSCE in Civil Engineering from NC State University and an MPA from the University of North Carolina – Pembroke and has been in state and local government for over 30 years. Mr. McGee has experience in grant management including FEMA, EPA, and CDBG and Powell Bill and has assisted with administration of many of the City's grant projects.

4.a.iii. Acquiring Additional Resources

The City routinely solicits resources for projects that utilize State and Federal funding. We will select our environmental consultant and cleanup contractor (and others as necessary) through our standard processes which will comply with 2 CFR Part 200, 2 CFR Part 1500, and/or 40 CFR Part 33. To provide this opportunity in a meaningful and equitable way, the City will post opportunities on the City's website under Bid Opportunities, the NC Vendor Registry, the NC Department of Administration Historically Underutilized Businesses webpage, and the NC Interactive Purchasing System.

4.b. Past Performance and Accomplishments

4.b.i. Previously Received An EPA Brownfields Grant

Accomplishments – The following highlights some of the outputs and outcomes of the City's 2012-2015 EPA Brownfield Assessment Grant project: completed community involvement plan; two public meetings; completed inventory with 62 potential brownfields inventoried; 8 completed Phase I ESAs; 3 completed Phase II ESAs (including Phoenix); two draft ABCAs; one site entered into the NCBRS (Phoenix with the agreement completed during the grant period). The City has the following accomplishments for the Phoenix site: Phase I & II ESA; completion of a NC Brownfields Agreement; acquisition of the site and partial cleanup in 2019 using funds provided by the NC Legislature. These activities are reflected in ACRES.

Compliance with grant requirements – The City completed the EPA Brownfield Assessment grant (BF-95499112-0) activities in compliance with the work plan, schedule and terms and conditions. We endured timely reporting into ACRES, including updates on recent activities prior to submittal of this proposal. All quarterly performance and technical reports were submitted in a timely fashion, including the closeout report.

III.B. THRESHOLD CRITERIA FOR CLEANUP GRANTS

III.B.1. Applicant Eligibility

The City of Havelock is a General Purpose Unit of Local Government as defined in 40 CFR Part 31. Since Havelock is a General Purpose Unit of Local Government, it is eligible to receive this EPA Brownfields Clean Up Grant.

III.B.2 Previously Awarded Cleanup Grants

The Phoenix site has not received funding from a previous EPA Brownfields Cleanup Grant.

III.B.3 Balance on Multi-Purpose Grant

Not Applicable

III.B.4 Site Ownership

The City of Havelock, the applicant for this cleanup grant, is the sole owner of the Phoenix site. The City acquired the Phoenix parcels on November 12, 2015.

III.B.5 Basic Site Information

- a) Phoenix Site
- b) Sermons Boulevard, Havelock, NC 28532
- c) Current Owner – City of Havelock

III.B.6 Status and History of Contamination at the Site

- a) The site is primarily contaminated by arsenic, a hazardous substance, but is also impacted by VOCs and SVOCs in several places.
- b) The Phoenix site was originally a sand mine that was later used as a demolition waste dump site. In 1993, the site began taking recycling portions of construction and debris waste and in 1997 received hurricane debris. The owners of the site declared bankruptcy and the facility was closed in 2000. The site has remained vacant and unused since 2000.
- c) The environmental concerns at the site include four small areas of surface soil impacted with VOCs and SVOCs. Six of the massive piles at the site are impacted by arsenic in excess of the site specific cleanup levels established by the NC Brownfields Redevelopment Section (NCBRS).
- d) The site became contaminated through its operation as a waste and recycling dump. Materials at the site are impacted with arsenic and or VOCs/SVOCs over site specific cleanup levels.

III.B.7 Brownfields Site Definition

The City affirms that the Phoenix site meets the definition of a brownfield under CERCLA § 101(39) and that:

- a) The Phoenix site is not listed on the National Priorities List;
- b) The Phoenix site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
- c) The site is not subject to the jurisdiction, custody, or control of the U.S. government.

III.B.8 Environmental Assessment

The following assessment reports have been conducted at the site:

- Tritech/ET, 2005, Phase II Environmental Assessment Preliminary Sampling Report;
- S&ME, 2010, Limited Soil and Groundwater Assessment Report Phoenix Recycling Site;
- S&ME, 2011, Supplemental Phase II Environmental Assessment;
- S&ME, 2012, Monitoring Well Installation Report;
- S&ME, 2012, Limited Groundwater Monitoring Report; and
- Mid-Atlantic, 2015, Limited Site Assessment Report.

Each of the above reports focused on the assessment of soil, groundwater and contents of the waste piles at the Phoenix site. The 2015 report by Mid-Atlantic was prepared under our previous EPA Brownfields Assessment grants.

III.B.9 State or Tribal Voluntary Response Program

A letter from the NCBRS is included as an attachment (Attachment 1).

III.B.10. Enforcement or Other Actions

There are no known ongoing or anticipated environmental enforcement or other actions related to the Phoenix site.

III.B.11. Sites Requiring a Property-Specific Determination

The Phoenix site does not require a property-specific eligibility determination.

III.B.12. Threshold Criteria Related to CERCLA/Petroleum Liability

The site is primarily impacted by arsenic, a hazardous substance. The site was also deemed eligible for only hazardous funding during our previous EPA Brownfields Assessment Grant.

a. Property Ownership Eligibility – Hazardous Substance Sites: The City of Havelock is an eligible entity as a bona fide prospective purchaser (BFPP) by demonstration of the following:

a.iii.(1)(a) Information on the property acquisition: Havelock acquired the Phoenix parcels on November 12, 2015 through a special warranty deed after a negotiation with an officer of the entity who owned the site, Sand, Incorporated of Havelock. The City of Havelock is the sole owner of the site. The City of Havelock does not have, nor have we had, any familial, contractual, corporate, or financial relationships or affiliations with Sand, Incorporated of Havelock or any prior owners or operators (or other potentially responsible parties) of the Phoenix parcels.

a.iii.(1)(b) Pre-Purchase Inquiry: Prior to acquiring the Phoenix site, the City of Havelock conducted an ASTM E1527-13 compliant Phase I ESA (report dated September 22, 2015). The Phase I ESA was performed specifically for the City of Havelock by Mid-Atlantic Associates, Inc., an environmental consulting firm that was founded in 1993. The Environmental Professionals who performed the Phase I ESA, Eric Aufderhaar and Darin McClure, both have

over 25-years of experience conducting Phase I ESAs. The Phase I ESA was conducted within 180 days of the City of Havelock acquiring the site.

a.iii.(1)(c) Timing and/or Contribution Toward Hazardous Substances Disposal: Disposal of all hazardous substances at the site occurred before the City of Havelock acquired the property and the City of Havelock has not caused or contributed to any release of hazardous substances at the site. The City of Havelock has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

a.iii.(1)(d) Post-Acquisition Uses: The site has remained vacant and unused since our ownership of the site.

a.iii.(1)(e) Continuing Obligations: The City of Havelock has complied with all the provisions of our NC Brownfields Agreement, which outlines steps necessary to keep/make the site safe for its current and future uses. These agreements, in part, are intended to ensure any continuing releases are stopped, prevent future releases, and prevent or limit exposure to hazardous substances. The City of Havelock is committed to complying with the land use restrictions contained in our BFA (and any future ones) and will not impede the effectiveness or integrity of any institutional controls. We will assist and cooperate with those performing the cleanup and provide access to the property. We will also comply with all information requests and administrative subpoenas that have or may be issued in connection with the property and will provide all legally required notices.

III.B.13. Cleanup Authority and Oversight Structure

(a) The Phoenix site is subject to a NC Brownfields Agreement (BFA) executed with the North Carolina Brownfields Redevelopment Section (NCBRS) on December 2, 2015 and filed with the Craven County Register of Deeds on December 4, 2015. The NCBRS has jurisdiction over any cleanup or redevelopment activities at the site and is charged with making sure these activities comply with the BFA. Our project manager will work closely with City staff to procure an environmental consultant and cleanup contractor in compliance with the provisions of 2 CFR Part 200, 2 CFR Part 1500, and/or 40 CFR Part 33. This will ensure we have the technical and cleanup expertise in place prior to beginning cleanup activities.

(b) Access to neighboring properties will not be necessary to conduct cleanup activities under this grant.

III.B.14. Community Notification

a) Draft Analysis of Brownfield Cleanup Alternatives (ABCA): A draft ABCA was developed for the Phoenix site. The draft ABCA was developed following the EPA suggested outline. The draft ABCA is dated October 16, 2023.

b) Community Notification Ad: A public notice was printed in the local newspaper (New Bern Sun Journal). The public notice ran on October 5 and October 19, 2023. This notice announced the City's intention to submit this EPA Brownfield Cleanup Application and the availability of the application and draft ABCA. The notice invited community members to attend a public meeting on October 23, 2023 at City Hall. A similar notice was placed on the City's website on October 5, 2023.

c) Public Meeting: At the October 23, 2023 meeting, individuals associated with the cleanup were present and the proposed cleanup method discussed. A summary of public comments received, responses to the comments, meeting notes and meeting sign-in sheets were all documented.

d) Submission of Community Notification Documents: The following documents are attached to the proposal:

- Draft ABCA (Attachment 2)
- Copy of the newspaper ad affidavits (Attachment 3)
- Summary of public comments (Attachment 4)
- Responses to public comments (Attachment 5)
- Meeting notes/summaries (Attachment 6)
- Meeting sign-in sheet (Attachment 7)

III.B.15. Contractor Selection

Not applicable. The City will procure its consultant and cleanup contractor in compliance with 2 CFR Part 200, 2 CFR Part 1500, and/or 40 CFR Part 33.

ATTACHMENT 1 – LETTER FROM NCBS



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

MICHAEL SCOTT
Director

October 31, 2023

Mr. Christopher McGee
City Manager
City of Havelock
1 Governmental Avenue
Havelock, North Carolina 28532
cmcgee@havelocknc.us

Re: U.S. EPA Brownfields Cleanup Grant
Phoenix Recycling
US 70 Hwy and Pine Grove Rd
Havelock, Craven County, North Carolina
Brownfields Project Number 17061-13-025

Dear Mr. McGee

The North Carolina Department of Environmental Quality, Brownfields Redevelopment Section (DEQ BRS) acknowledges that the City of Havelock plans to conduct the cleanup of a brownfield site and is applying for an FY24 EPA Brownfields Cleanup Grant.

The City of Havelock has developed an application requesting site-specific federal Brownfields Cleanup funding for Phoenix Recycling located at US HWY 70 & Pine Grove Road, Havelock, Craven County, North Carolina.

DEQ BRS affirms that Town Of Havelock and specifically the Phoenix Recycling property:

- i. Is eligible to be enrolled in the Brownfields Redevelopment Section's voluntary response program;
- ii. Is currently enrolled in the Brownfield Redevelopment Section's voluntary response program (Project Number 17061-13-025);
- iii. Has had a sufficient level of site characterization from the environmental site assessments performed to date for the remediation work to begin on the site.

We hope that the City is successfully awarded this grant, but we will continue to support you in your Brownfields redevelopment efforts whether a grant is awarded or not. We truly believe successful Brownfields projects can rejuvenate a community. For any questions regarding this letter, please contact Ms. Jordan Thompson at 704-223-6549 or Jordan.thompson@deq.nc.gov.

Sincerely,

Jordan Thompson
Project Manager, DEQ BRS

ec: NCDEQ Brownfields Public Outreach Team



North Carolina Department of Environmental Quality | Division of Waste Management
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646
919.707.8200